APPENDIX

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

S694–C

UNITED STATES

v.

ANTHONY L. FABRIZIO

John T. Curtin, United States Attorney, for the United States.

De Fillipo Brothers, Attorneys for Defendant.

Motion by defendant to dismiss the indictment.

The charge in the indictment does not come within the purpose of Section 1953 of Title 18, United States Code, as disclosed in the legislative history of the Act. House Report No. 968, with attached documents to accompany Senate 1657, United States Code Congressional and Administrative News, Volume 2, 87th Congress, First Session, pages 2634–2637.

Motion to dismiss the indictment is granted. So ordered.

Harold P. Burke,
HAROLD P. BURKE,
U.S. District Judge.

OCTOBER 5, 1965.

U.S. GOVERNMENT PRINTING OFFICE: 1966